

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MICHAEL SEMIAN,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 3:17-CV-1183</b>
<b>v.</b>	:	
	:	<b>Judge Mariani</b>
<b>DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS – GINO J. MERLI VETERANS CENTER,</b>	:	
<b>Defendant</b>	:	<b>Electronically Filed Document</b>
	:	<i>Complaint Filed 07/05/17</i>

**JOINT PROPOSED CASE DESCRIPTION**

Pursuant to this Honorable Court's direction at the Pre-Trial Conference held in the above-captioned matter on February 21, 2020, the Parties jointly propose the following language as an introductory description of the case:

"In this case the Plaintiff Michael Semian makes a claim under a Federal Civil Rights statute that prohibits employers from discriminating against an employee in the terms and conditions of employment because of the employee's race, color, religion, sex, or national origin. More specifically, Plaintiff claims that he was terminated by the defendant Pennsylvania Department of Military and

Veterans Affairs because of his sexual orientation. Defendant denies that Plaintiff was discriminated against in any way.”<sup>1</sup>

**Respectfully submitted,**

**JOSH SHAPIRO**  
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**Date: February 26, 2020**

**By: s/ Nicole J. Boland**

**Nicole J. Boland**  
**Deputy Attorney General**  
**Attorney ID 314061**

**KAREN M. ROMANO**  
**Chief Deputy Attorney General**  
**Civil Litigation Section**

**Counsel for Defendant Department of**  
**Military Veterans Affairs**

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<sup>1</sup> This joint description is subject to the Defendant’s standing objection that sexual orientation is not a protected class under Title VII pursuant to *Bibby v. Philadelphia Coca Cola Bottling Co.*, 260 F.3d 257, 261 (3d Cir. 2001).

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<b>v.</b>	:	
	:	<b>Judge Robert D. Mariani</b>
<b>DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS – GINO J. MERLI VETERANS CENTER,</b>	:	
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		<i>Complaint Filed 07/05/17</i>

**CERTIFICATE OF SERVICE**

I, Nicole J. Boland, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on February 26, 2020, I caused to be served a true and correct copy of the foregoing document to the following:

**VIA ELECTRONIC FILING**

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*Counsel for Plaintiff***

*s/ Nicole J. Boland*  

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**NICOLE J. BOLAND**  
Deputy Attorney General